



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed April 29, 2020

Harlin DeWayne Hale
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS**

In re:

CARL WAYNE ORRELL,

Chapter 7

Case No. 19-33630

Debtor.

/

KAPITUS SERVICING INC. AS
SERVICING AGENT FOR KAPITUS LLC,

Plaintiff,

v.

CARL WAYNE ORRELL,

Adv. Pro. No. 20-03016

Defendant.

/

STIPULATION AND AGREED SCHEDULING ORDER

The Court, having considered the contents and merits of the Joint Motion For Entry Of Agreed Scheduling Order and this Stipulation and Agreed Scheduling Order and the parties' agreement thereto, as evidenced by their signatures below, it is of the opinion that this Order should be GRANTED.

IT IS THEREFORE ORDERED that each of the dates set forth below in this Agreed Scheduling Order shall serve as the deadlines for this case:

1. **TRIAL AND DOCKET CALL.** TRIAL is set before the Honorable Barbara J. Houser at Courtroom #2, 14th Floor, 1100 Commerce Street, Dallas the week of November 9, 2020. Docket call for this trial will be held on November 3, 2020 at 1:15 p.m. at Courtroom #2, 14th Floor, 1100 Commerce Street, Dallas. A pretrial conference shall be scheduled by the parties at least seven (7) calendar days prior to trial docket call in a complex adversary proceeding if the parties anticipate that trial will exceed one day or if there are preliminary matters that should be addressed by the Court prior to the commencement of trial.
2. **DISCOVERY.** Discovery must be completed forty-five (45) days prior to Docket Call. The names and addresses of experts must be exchanged sixty (60) days prior to Docket Call.
3. **JOINT PRETRIAL ORDER.** A Joint Pretrial Order in compliance with Local District Court Rule 16.4 shall be filed, served, and uploaded for Court entry seven (7) days prior to Docket Call. All counsel (or a pro se party) are responsible for preparing the Joint Pretrial Order, which shall contain the following: (a) a summary of the claims and defenses of each party; (b) a statement of stipulated facts; (c) a list of the contested issues of fact; (d) a list of contested issues of law; (e) an estimate of the length of trial; (f) a list of additional matters which would aid in the disposition of the case; and (g) the signature of each attorney (or pro se party).
4. **EXHIBITS AND WITNESSES.** Each exhibit shall be marked with an exhibit label. Except for impeachment documents, all exhibits, along with a list of witnesses to be called, shall be exchanged with opposing counsel (or pro se party) fourteen (14) days prior to Docket Call. Each party shall also file a list of exhibits and witnesses fourteen (14) days prior to Docket Call. All exhibits not objected to in writing by Docket Call shall be admitted into evidence at trial without further proof, except for objections to relevance. Written objections to exhibits will be taken up either at the beginning or during the course of the actual trial or at any pretrial conference.
5. **WRITTEN PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW.** Written proposed findings of fact and conclusions of law shall be filed seven (7) days prior to Docket Call. Trial briefs shall be filed addressing contested issues of law seven (7) days prior to Docket Call.
6. **DISPOSITIVE MOTIONS & EXPERT CHALLENGES.** Unless otherwise directed by the Presiding Judge, all dispositive motions must be heard no later fourteen (14) days prior to Docket Call. Accordingly, all dispositive motions must be filed no later than forty-five days prior to Docket Call, unless the Court modifies this deadline.

IT IS FURTHER ORDERED that except as expressly stated to the contrary herein, all the terms of the *Order Regarding Adversary Proceedings Trial Setting and Alternative Scheduling Order* [ECF 3] remain in full force and effect.

IT IS FURTHER ORDERED that changes to this Stipulation and Agreed Scheduling Order may only be made by further order of this Court.

End of Order # #

AGREED AS TO FORM:

RUBIN & ASSOCIATES, P.C.

/s/ Mark S. Rubin

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